

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Dennis M. McGeady		
	Debtor(s)	CHAPTER 13
Ditech Financial LLC		
	Movant	
vs.		
		NO. 17-12277 JKF
Dennis M. McGeady		
	Debtor(s)	
Scott Waterman Esq.		
	Trustee	11 U.S.C. Section 362

**MOTION OF Ditech Financial LLC
FOR RELIEF FROM THE AUTOMATIC STAY
UNDER SECTION 362**

1. Movant is Ditech Financial LLC.
2. Debtor(s) is/are the owner(s) of the premises 7145 Claridge Street, Philadelphia, PA 19111, hereinafter referred to as the mortgaged premises.
3. Movant is the holder of a mortgage, original principal amount of \$145,299.00 on the mortgaged premises that was executed on June 26, 2015. Said mortgage was recorded on July 9, 2015 at Document ID Number 52937967 The Mortgage was subsequently assigned to Movant by way of Assignment of Mortgage recorded on August 30, 2018, at Document ID Number 53411341 in Philadelphia County.
4. Scott Waterman Esq is the Trustee appointed by the Court.
5. The commencement and/or continuation of the mortgage foreclosure proceedings by reason of non-payment of monthly mortgage payments were stayed by the filing of a Chapter 13 Petition in Bankruptcy by the Debtor(s).
6. As of January 8, 2019, debtor(s) has/have failed to make the monthly post-petition mortgage payments in the amount of \$1,028.79 for the months of February 2018 through April 2018 and \$1,029.88 for the months of May 2018 through January 2019. The debtor's suspense balance is \$626.02.
7. The total amount necessary to reinstate the loan post-petition is \$11,729.27 (plus attorney's fees & costs).

8. Debtor is currently delinquent in plan payments to the Chapter 13 Trustee in the amount of \$194.00.

9. Movant is entitled to relief from stay for cause.

10. This motion and the averments contained therein do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this motion, including fees and costs, due under the terms of the mortgage and applicable law.

WHEREFORE, Movant prays that an Order be entered modifying the Stay and permitting Movant to proceed with its mortgage foreclosure on the mortgaged premises, and to allow the Sheriff's Grantee to take any legal action to enforce its right to possession of the mortgage premises. Further, Movant prays that an Order be entered awarding Movant the costs of this suit, reasonable attorney's fees in accordance with the mortgage document and current law together with interest.

/s/ Kevin G. McDonald, Esquire

Kevin G. McDonald, Esquire

KML Law Group, P.C.

701 Market Street, Suite 5000

Philadelphia, PA 19106-1532

Phone: (215) 627-1322 Fax: (215) 627-7734

Attorneys for Movant/Applicant